
City of Reading City Council

Regular Meeting Monday, February 11, 2008

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Rev. Dr. Delishia Boykins-Wilson, of the Bethel AME Church.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Stephen Fuhs, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Stratton Marmarou, District 4
Councilor Baez, District 5

Managing Director L. Churchill
City Solicitor C. Younger
City Auditor D. Cituk
City Clerk L. Kelleher
Public Works Director C. Jones

Council President Spencer announced that Councilor Waltman and Mayor McMahon are absent due to illness. He wished them a speedy recovery.

PROCLAMATIONS AND PRESENTATIONS

Managing Director Churchill issued the following proclamations:

- Recognizing the Reading Chapter of the Pennsylvania Society of Engineers, accepted by Mr. Michael Hartman, P.E.

- Proclaiming Peace Corps Week, accepted by Vinny Wickes

PUBLIC COMMENT

There were no citizens registered to address Council on agenda or non-agenda matters.

APPROVAL OF AGENDA

Council President Spencer called Council's attention to the agenda for this meeting and minutes from the January 28, 2008 regular business meeting.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to approve the agenda for this meeting, along with the legislation listed under the Consent Agenda heading and the January 28, 2008 regular meeting minutes

City Auditor Cituk requested an amendment under Council Comment on page 11. He stated that currently, the sentence reads "City Auditor Cituk explained that there are approximately 100 police retirees who receive less than \$1,000 per month." He requested that be changed to "less than 50 police retirees."

The agenda for this meeting along with the legislation listed under the Consent Agenda heading and the minutes from the January 28, 2008 regular meeting of Council, as amended, were adopted. The motion was approved unanimously.

CONSENT AGENDA

Award of Contract- to Univar USA, 532 East Emaus Street, Middletown, PA 17057, who is the sole bidder, at a price of \$0.795/pound for approximately 80,000 pounds of Silicofluoride, for a total bid price of \$63,600.00. **(Purchasing)**

Award of Contract- to Univar USA, 532 East Emaus Street, Middletown, PA 17057, who is not the low bidder, at a price of \$1.094/gallon of Sodium Hypochlorite for a total bid of \$54,700. **(Purchasing)**

Award of Contract- to Carus Phosphates, Inc., 181 Woodlawn Avenue, Belmont, NC 2801, who is the low bidder, at a price of

\$3.634pgallon for approximately 20,000 gallons, for a total bid of \$72,680.00. **(Purchasing)**

Award of Contract- to Delta Chemical Crop., 2601 Cannery Avenue, Baltimore, MD 21226, at a price of \$256.88/dry ton for approximately 1,500 dry tons, for a total bid of \$385,320.00. **(Purchasing)**

ADMINISTRATIVE REPORT

Managing Director Churchill highlighted the report distributed to Council at the meeting covering the following:

- Completion of the permanent repair to the 42" sewer main along Canal St
- Street light replacement project at East Bank
- Update on the surveillance camera system project and procurement process targeted for Council approval at the February 25th regular business meeting
- City departmental and office reorganization that will comply with the recent Commonwealth Court decision on Adam Mukerji and the City of Reading versus the City of Reading Charter Review Board

AUDITOR'S REPORT

City Auditor Dave Cituk read the report provided to Council at the meeting covering the following:

- Spreadsheet showing fines collected from the six Magisterial District Justices during 2007 which exceeded budget expectations by \$322,000
- Update on the 2007 Cable Franchise fees which came in \$26,272.16 below the budgeted projection

Councilor Fuhs inquired if the Franchise Fee is at a fixed rate. City Auditor Cituk replied the Franchise Agreement fixes a percentage rate on specific Comcast sales and services.

Council President Spencer thanked the Auditor for his report on the fines collected at the MDJ court level. He added Council's hope that this collection of fines will work towards changing the behavior of those who violate various City ordinances.

DIRECTORS, BOARDS, AUTHORITIES, COMMISSIONS REPORT

Dan Luckey, Executive Director of the Reading Housing Authority, provided a report on the activities of the Housing Authority. Mr. Luckey noted that currently the Housing Authority manages 1,629 units, 600 section 8 vouchers, and 170 portable vouchers (used by people arriving in Reading from other areas). Mr. Luckey noted the low crime rate in properties operated by the Housing Authority. He noted the dedication of the Police Officers serving the Housing Authority areas and described the success of the closed circuit surveillance cameras. He provided an update on the sales of the condominiums located in the 1000 block of Penn Street. He announced that Open House will occur every Sunday from 2-4 pm.

Councilor Goodman-Hinnershitz noted the timely upgrade to Housing Authority properties and the work of the Housing Authority to build pride and community spirit. She expressed the belief that low income residents should have the opportunity to live in other areas of the County. She also stated that low income housing should not be centralized within the City of Reading.

Mr. Luckey explained that the Housing Authority requires residents to be responsible for the maintenance of the properties they occupy. He stated that residents must live up to terms specified in their lease agreements.

ORDINANCES FOR FINAL PASSAGE

Bill No. 09-2008 - amending the City of Reading Codified Ordinances Chapter 1 – Administration and Government, Section H Department Organization, Exhibit A – Purchasing Procedures, by adding a new Section 8.0 entitled Protection of Integrity in Government. ***(Fuhs) Introduced at the 01/14/08 Regular Meeting of Council; tabled at the 01/28/08 meeting of Council pending further discussion.***

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill 9-2008.

Councilor Fuhs provided background behind this ordinance. He explained that the ordinance provides guidelines for businesses who make contributions to candidates running for elected positions.

Bill 9-2008 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

Bill No. 11-2008 - Increasing the salary for the Managing Director to \$118,820.64, retroactive to June 20, 2007. **(Mayor) *Introduced at the 01/28/08 Regular Meeting of Council.***

Councilor Baez moved, seconded by Councilor Sterner, to enact Bill 11-2008.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to amend Bill 11-2008 by changing the language in Section 1 Compensation as follows: “Based on the performance evaluation completed by the Mayor, Managing Director R. Leon Churchill Jr. shall receive a one-time lump sum payment of \$3,460.80 equal to a 3% increase.”

Councilor Sterner commended the performance of the Managing Director. He explained that this ordinance will not increase the base pay of the Managing Director but instead will provide a lump sum amount equal to a 3% merit increase.

City Auditor Cituk questioned this approach. He stated that providing a one time payment rather than spreading the 3% increase across 24 pay periods could result in an up-front loss if the employee resigns before the year end.

Council President Spencer explained that Mr. Churchill in executive session spoke of the need to give department directors increases now as their salaries will be exposed to salary freezes going forward. City Auditor Cituk noted that creating pay freezes causes problems going forward as salaries of other lower ranked employees start to catch up to those with frozen salaries.

Managing Director Churchill explained that this approach merely implements early intervention recommendations to reduce expenses.

City Auditor Cituk expressed the belief that salary freezes create devaluation of salaries and create compression.

Councilor Fuhs expressed his belief in the application of the up-front payments rather than increases in base salaries. He noted that this practice is used in private industry without any negative impact on performance or morale.

Councilor Sterner also agreed with this approach to contain expenses.

Bill 11-2008 was amended by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6

Nay: None – 0.

Bill 11-2008 was enacted as amended by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6

Nay: None – 0.

Bill No. 12-2008 - Increasing the salary of the Fire Chief to \$73,771.17 per annum retroactive to January 1, 2008. **(Managing Director)** *Introduced at the 01/28/08 Regular Meeting of Council.*

Councilor Sterner moved, seconded by Councilor Fuhs, to enact Bill 12-2008.

Councilor Fuhs moved, seconded by Councilor Goodman-Hinnershitz, to amend Bill 12-2008 by changing the language in Section 1 Compensation as follows: “Based on the performance evaluation completed by the Managing Director, Fire Chief William Rehr shall receive a one-time lump sum payment of \$2,837.35 equal to a 4% increase.”

Managing Director Churchill stated that the Fire Chief’s performance was very good over the 2007 fiscal year. He noted the improvement in EMS collections.

The amendment to Bill 12-2008 was adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6

Nay: None – 0.

Bill 12-2008 was enacted as amended by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6

Nay: None – 0.

Bill No. 13-2008 - Increasing the salary of the Finance Director to \$71,872.42 per annum retroactive to January 1, 2008. **(Managing Director)** *Introduced at the 01/28/08 Regular Meeting of Council.*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to table Bill 13-2008.

Bill 13-2008 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

Councilor Goodman-Hinnershitz explained that the ordinance was tabled due to the absence of Finance Chair Waltman.

Bill No. 14-2008 - amending the City of Reading Codified Ordinances, Chapter 1, Section 1-120 Council Committees, by changing the name of the Administrative Oversight Committee to Administrative and Land Use Committee. **(Council Staff)** *Introduced at the 01/28/08 Regular Meeting of Council; discussed at the 01/28/08 Committee of the Whole Meeting.*

Councilor Marmarou moved, seconded by Councilor Baez, to enact Bill 14-2008.

Council President Spencer explained that appointments to Council committees are made for a two year term. Every two years City Council, with the help of Council staff, reviews the committee function and efficiency. He stated that this year Council staff recommends adding a component to oversee land use issues such as zoning, housing, SALDO, and other issues. He stated that it was decided to add these duties to the Administrative Oversight Committee. He stated that Councilor Marmarou and Councilor Baez will co-chair the Administrative and Land Use Committee.

Bill 14-2008 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

Bill No. 15-2008 - amending the City of Reading Codified Ordinances Fee Schedule by adding fees for the printing or copying of maps. (Council Staff/Traffic Engineering) *Introduced at the 01/28/08 Regular Meeting of Council.*

Councilor Fuhs moved, seconded by Councilor Baez, to enact Bill 15-2008.

Council President Spencer explained that this Ordinance was drafted by Council staff at the request of the Engineering Division. He asked Ms. Kelleher to provide some background information.

Ms. Kelleher explained that as development projects increase within the City of Reading, the Engineering Department has seen a drastic increase in requests for copying and printing of plans and maps by developers, architects, etc. This increase is meant to cover the cost of those services.

Bill 15-2008 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

Bill No. 16-2008 - amending the City of Reading Codified Ordinances by adding to Chapter 10 – Health and Safety the Health and Safety Inspection Ordinance and requiring the inspection of all Residential and Mixed Commercial and Residential properties within the City of Reading. (Solicitor/Council Staff) *Discussed at the 01/21/08 Council Workshop; reintroduced at the 01/28/08 Regular Meeting of Council.*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to enact Bill 16-2008.

Councilor Sterner noted the long process used to prepare this new Health and Safety Review Ordinance. He stated that the Ordinance was originally rewritten by Council staff at his request in early 2007. Work on the Ordinance was suspended due to extensive work by the Administration and Council staff on the amendment of the Housing Permit process and the implementation process accompanying the Housing Permit Ordinance. He thanked all for their work to develop and amend this Ordinance to reflect the input obtained by real estate investors and real estate agents.

Managing Director Churchill described the input from realtors, investors, and other affected groups. He noted the positive effect this Ordinance will have on improving the City's housing stock.

Councilor Goodman-Hinnershitz thanked all for their work to draft this Ordinance and consider the dialog of affected parties.

Bill 16-2008 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance- an Ordinance amending the Codified Ordinances of the City of Reading, Berks County, Pennsylvania, Chapter 1 Administration and Government, Part 1 Administrative Code, H. Department Organization, Section 1-182 Chart, by making the following adjustments: placing the office of Information Technology under the Finance Department; placing the Citizens Call Center under the Finance Department placing the office of Neighborhood Development under the Police Department; placing Code Services and Zoning enforcement under the Police Department and defining the reporting relationship of Municipal Authorities. **(Solicitor)**

Ordinance- authorizing the Mayor to execute documents to effectuate the transfer of ownership of premises known as 1019-1021 Penn Street, 1016, 1022 and 1028 Court Street from St. Joseph Hospital to the City of Reading. **(Solicitor)**

Ordinance- amending the Codified Ordinances of the City of Reading by adding to Chapter 10- Health and Safety, by creating Part 15 – The Regulation and Limitation of Portable Home Storage Units. **(Council Staff)**

Ordinance- an Ordinance amending the City of Reading Codified Ordinances Fee Schedule, by increasing Park and Recreation fees. **(Council Staff/Public Works)**

Ordinance- amending the City of Reading Codified Ordinances, Chapter 6 – Conduct, by creating a new Part 8- Solicitation, requiring a permit for solicitation and canvassing to protect the safety, health and welfare of those who live and visit the City of Reading. **(Council Staff)**

Ordinance- increasing the salary of the City Solicitor to \$68,002 per annum. **(Managing Director)**

Ordinance- amending Section 1-271 of the City of Reading Personnel Code, by amending the salary range for the Chief of Police. **(Managing Director)**

Ordinance- increasing the salary of the Police Chief to \$108, 957.00 per annum. **(Managing Director)**

Ordinance- an Ordinance providing a cost of living increase to Officers and Employees Pensioners retiring before 2002. **(O&E Pension Board/Pension Coordinator/Council Staff)**

RESOLUTIONS

Resolution No. 14-2008 - authorizing the Mayor of the City of Reading to file an application for “RACP” fund in the amount of \$7.0 million for the “Goggle Works Apartments”. **(Community Development)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to adopt Resolution 14-2008.

City Solicitor Younger explained that the adoption of this Resolution will allow the application for a \$7 million funding for the Goggle Works Apartments located at 2nd and Washington Sts.

Councilor Fuhs stated that he did not support past applications for this project. He inquired about the impact this funding will have on the project.

Managing Director Churchill stated that this application will have a large impact on the project as the project will not move forward without additional funding to reduce the rental rates.

Councilor Fuhs inquired if the \$800,000 HOME funds approved previously have been transferred over to Our City Reading as of yet. Mr. Churchill stated that this funding has not been transferred.

Council President Spencer explained the exploration for all other avenues to fund this project.

Councilor Goodman-Hinnershitz stated that the City's application for this funding will compete against others submitted in other communities.

Resolution 14-2008 was adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

Resolution No. 15-2008 - authorizing the assumption of outstanding loan balance for the Medical Arts Building. **(Community Development/Solicitor)**

Councilor Sterner moved, seconded by Councilor Goodman-Hinnershitz, to table Resolution 15-2008.

Resolution 15-2008 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6

Nay: None – 0.

Council President Spencer explained that this Resolution was tabled due to the need for input from the Community Development Director.

COUNCIL COMMENT

Councilor Baez announced the upcoming District 5 town meeting with State Senator Mike O'Pake scheduled for Wednesday, February 20 at 6 pm at Riverside Elementary School.

Councilor Goodman-Hinnershitz noted the upcoming activities of the Pendora Community Group.

Council President Spencer reviewed the upcoming Council meeting schedule. He asked all to refer to the Boards, Authorities and Commissions meetings along with the Community Group Meeting schedule listed on the agenda.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adjourn the regular meeting of Council.

Linda Kelleher
City Clerk